



## *Chippewa Ottawa Resource Authority*

179 W. Three Mile Road  
Sault Ste. Marie, MI 49783

Ph: 906-632-0043

Fax: 906-632-1141

August 30, 2012

Melanie Haveman  
U.S. EPA Region 5 (WW-16J)  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

Re: Comments on Wetlands Fill Permit Application for County Road 595, Marquette County, MI.

Dear Melanie Haveman:

On behalf of the Chippewa Ottawa Resource Authority (CORA), I am writing this letter to comment on the proposed permit submitted to the Michigan Department of Environmental Quality (MDEQ) that would allow the Marquette County Road Commission (MCRC) to construct a road to access the Kennecott Eagle Mine in Northern Marquette County. We believe that this project will lead to significant degradation of aquatic resources both on and off the 1836 treaty-ceded territory and that other, less damaging alternatives could be used to serve the purposes cited by the County and the mining company.

CORA represents five tribes in Michigan with regard to the tribes' commercial and subsistence fisheries in the 1836 treaty-ceded waters of Lakes Huron, Michigan and Superior. The tribes which are party to the 1836 treaty are the Bay Mills Indian Community, Grand Traverse Band of Ottawa and Chippewa Indians, Little River Band of Ottawa Indians, Little Traverse Bay Bands of Odawa Indians and Sault Ste. Marie Tribe of Chippewa Indians. The CORA tribes also regulate and co-manage fishing and hunting in the treaty ceded lands under a consent decree with the State of Michigan.

CORA understands that the applicant, the MCRC, proposes to construct a 21.4 mile, primary county road running north-south between US-41 and County Road IAA in western Marquette County identified as County Road 595 (CR-595). The proposed construction will lead to an estimated destruction of 25.81 acres of wetlands and will require 22 stream crossings, some of which will be in the 1836 treaty-ceded lands that are currently comprised of high quality, undisturbed wetlands and aquatic fish habitat. We believe that, due to significant clearing, excavation and filling, more impacts than stated by the proponent will occur and will adversely affect wetland functions, wildlife migration, stream water quality and lead to fragmentation of habitat.

Melanie Haveman, U.S. EPA

August 30, 2012

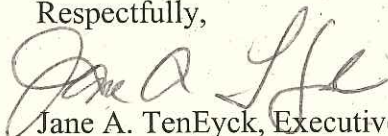
Page 2

CORA is very concerned that rare and unique, or high-quality wetlands will also be impacted by this project in an area of the Upper Peninsula where historical and current mining activities have destroyed or otherwise impacted significant resources that should have been protected for the use of future generations. In particular, we are concerned that these cumulative impacts will further degrade water quality, fish and wildlife habitat and the ability of tribal members to fulfill their treaty rights to hunt, fish, and gather in their traditional ways.

CORA also understands that the main reason that the proponent wants to build this road is for access to the Kennecott Eagle Mine that is currently under construction next to the Salmon Trout River however, the mining company originally told stakeholders that their plans were to transport the ore on existing roads to a railhead north of Marquette to be transported to Sudbury, Ontario for processing. We believe that this would be the least environmentally damaging practical alternative, providing a safer, more fuel efficient mode of transportation and would result in less air emissions, conserve wetlands and minimize impacts to critical habitat and corridors.

If you have any questions regarding this letter, please do not hesitate to contact me or Mike Ripley at (906) 632-0043 or via email at [jteneyck@chippewaottawa.org](mailto:jteneyck@chippewaottawa.org) or [mripley@sault.com](mailto:mripley@sault.com).

Respectfully,



Jane A. TenEyck, Executive Director  
Chippewa Ottawa Resource Authority

Cc: CORA Board